
EXHIBIT B

STATE OF NEW YORK
SUPREME COURT COUNTY OF OTSEGO

PEGGY BUSH,

Plaintiff,

SUMMONS

-against-

SPEEDWAY LLC,

Defendant.

To the above named Defendant:

You are hereby Summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's attorneys within 20 days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Plaintiff designates Otsego County as the place of Trial. The basis of the venue is the County where plaintiff resides. Plaintiff resides at: 1508 County Highway 11, in the Town of Laurens, County of Otsego, State of New York.

Dated this 10th day of November, 2020

SCARZAFAVA, BASDEKIS & DADEY, PLLC



THEODOROS BASDEKIS, ESQ.

Attorneys for Plaintiff(s)

Office and Post Office Address

48 Dietz Street-Suite C

Oneonta, New York 13820

TEL #(607) 432-9341 FAX#607-432-1986

To the above named Defendant: The nature of the action is personal injury. The relief sought: judgement against the defendants in an amount to be determined upon the trial of this action, together with punitive damages, the interest, costs and disbursements of this action.

STATE OF NEW YORK
SUPREME COURT COUNTY OF OTSEGO

PEGGY BUSH,

Plaintiff,

VERIFIED COMPLAINT

-against-

SPEEDWAY LLC,

Defendant.

The plaintiff, Peggy Bush, by and through her attorneys, Scarzafava, Basdekis & Dadey, PLLC, as and for her Verified Complaint herein, upon information and belief, allege as follows:

I. PARTIES

1. The plaintiff, Peggy Bush, at all times relevant herein, was a resident of 1508 County Highway 11, in the Town of Laurens, County of Otsego, State of New York.
2. That upon information and belief, at all times herein mentioned, the defendant, Speedway LLC, was and is a Delaware limited liability company qualified to do business in the State of New York. Said corporation was transacting and transacts business within the State of New York, owns real property situated within New York State, and committed a tortious act within New York State, hence establishing jurisdiction as conferred by CPLR Sections 301 and 302.
3. That, upon information and belief, the defendant, Speedway, LLC, has designated C T Corporation System with an address located at 28 Liberty Street, New York, New York as its Registered Agent with the New York State Department of State, Division of Corporations.

II. AS AND FOR A FIRST CAUSE OF ACTION

4. That upon information and belief, at all times herein mentioned, including on November 18, 2019, the defendant, Speedway LLC, operated a Speedway convenience store located at 1 Oneida Street in the Town of Oneonta, County of Otsego, State of New York.
5. That upon information and belief, on or about November 18, 2019, the defendant, Speedway LLC, exercised direction and control over the Speedway convenience store located at 1 Oneida Street in the Town of Oneonta, County of Otsego, State of New York, including the driveway.

6. That upon information and belief, on or about November 18, 2019, the defendant, Speedway LLC, was responsible for the inspection and maintenance of the Speedway convenience store, including maintaining the driveway in a condition safe for pedestrian traffic.
7. That on or about November 18, 2019, the plaintiff, Peggy Bush, was lawfully patronizing the Speedway convenience store located at 1 Oneida Street in the Town of Oneonta, County of Otsego, State of New York.
8. That on or about November 18, 2019 while the plaintiff was in the driveway of the Speedway convenience store located at 1 Oneida Street in the Town of Oneonta, County of Otsego, State of New York, the plaintiff was caused to slip and fall due to the presence of ice on the driveway.
9. That the November 18, 2019 fall and resulting injuries and damages to the plaintiff were proximately caused by the carelessness and negligence of the defendant, without any fault, negligence, or culpable conduct on the part of the plaintiff contributing thereto.
10. That the negligence of the defendant, Speedway LLC consisted of, but was not limited to the following:
 - a. Failure to provide proper warnings;
 - b. Failure to warn of an unsafe condition;
 - c. Maintaining the subject premises in a condition unsafe for customer and pedestrian traffic;
 - d. Failure to inspect the property in question;
 - e. Failure to maintain the property in question;
 - f. Permitting and/or allowing a dangerous condition to exist;
 - g. Creating a dangerous condition;
 - h. Failing to remedy a known hazard;
 - i. Failing to apply salt, sand, or other ice melting material to the driveway in question;
 - j. Failing to barricade a dangerous condition;
 - k. Permitting a dangerous recurring condition to exist on the premises after actual and/or constructive notice of the dangerous recurring condition;
 - l. Allowing a dangerous condition to exist on the premises after actual and/or constructive notice.
11. That by reason of the foregoing, the defendant breached its duty of care owed to the plaintiff, Peggy Bush.
12. That as a result of the negligence of the defendant the plaintiff, Peggy Bush, has sustained injuries to her body in general, including, injuries to her right leg, right hip, back, and right ankle. As a result, she was rendered sick, sore, lame, and disabled, and was required to submit to medical care.

13. That as a result of the negligence set out above, the plaintiff, Peggy Bush, has sustained and will sustain the following damages:
- a. Physical impairment, past and future;
 - b. Disfigurement, past and future;
 - c. Medical expenses, past and future;
 - d. Loss of wages, past and future;
 - e. Physical pain and suffering, past and future;
 - f. Mental pain and anguish, past and future; and
 - g. Loss of enjoyment of life, past and future.
14. That the amount of damages sought herein exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE the plaintiff, Peggy Bush, demands judgment against the defendant herein in an amount to be determined upon the trial of this action, together with the interest, costs and disbursements of this action.

Dated: November 10, 2020

SCARZAFAVA & BASDEKIS



Theodoros Basdekis, Esq.
Attorneys for Plaintiff
Office & PO Address
48 Dietz Street, Suite C
Oneonta, NY 13820
(607) 432-9341

CERTIFICATION PURSUANT TO THE RULES OF THE CHIEF ADMINISTRATOR § 130-1.1(a).

Dated: November 10, 2020

SCARZAFAVA, BASDEKIS & DADEY, PLLC



THEODOROS BASDEKIS, ESQ.

Attorneys for Plaintiff(s)

Office & P.O. Address

48 Dietz Street Suite C

Oneonta, New York 13820

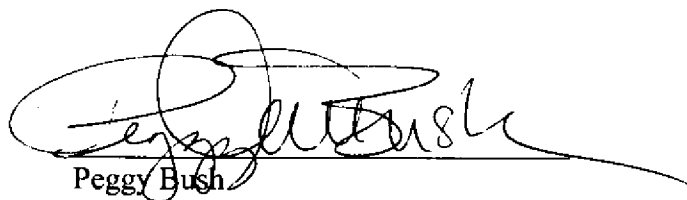
Tel # (607) 432-9341

Fax #(607) 432-1986

STATE OF NEW YORK
COUNTY OF OTSEGO, SS:


INDIVIDUAL VERIFICATION

Plaintiff, Peggy Bush, deposes and says that deponent is the plaintiff in the within action; that deponent has read the foregoing **Summons and Verified Complaint** and that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes them to be true.



Peggy Bush

Sworn to before me this
10th day of November 2020



Notary Public-State of New York
My commission expires:

Brenton P. Maday
NOTARY PUBLIC, STATE OF NEW YORK
NO. 07DA8278440
Qualified in Otsego County
Commission Expires 8/30/21